

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Mario BARRON-Galvan,

Defendant

Magistrate Docket No.

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

FILED

07 OCT 29 AM 10:28

07 MJ 2527
CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **October 21, 2007** within the Southern District of California, defendant, **Mario BARRON-Galvan**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS ~~24~~^{29th} DAY OF OCTOBER
2007



Barbara L. Major
UNITED STATES MAGISTRATE JUDGE


PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

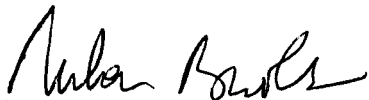
On October 21, 2007, Senior Patrol Agent R. Magana was assigned as the transport agent in the vicinity of SR-94 Checkpoint. This area is located approximately ten miles west of the Tecate, California Port of Entry and three miles north of the United States/Mexico international boundary. At approximately 5:45 p.m., Sector Headquarters Dispatch called transport for an evaluation of four individuals that were in the custody of the San Diego Sheriffs at the intersection of Mother Grundy Road and Honey Springs Road. At approximately 6:00 p.m., Agent Magana arrived on scene and approached the four individuals. He identified himself as a United States Border Patrol Agent in the English and Spanish languages and conducted a field immigration interview on the four individuals. The four individuals, including one later identified as the defendant **Mario BARRON-Galvan**, freely admitted to being citizens and nationals of Mexico and were not in possession of any immigration documents that would allow them to enter or remain in the United States legally. Agent Magana then arrested the four individuals and transported them to the Brown Field Station for further processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on **July 15, 2005** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on October 23, 2007 at 8:30 a.m.


Terri L. Dimolios
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of two pages, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **October 20, 2007**, in violation of Title 8, United States Code, Section 1326.


Ruben B. Brooks
United States Magistrate Judge

10/23/2007 at 9:25 a.m.
Date/Time